

REMARKS:

Claims 31-40 are pending in the application. Of note, no claim amendments are being made at this time. However, as a convenience to the Examiner, and to aid in prosecution of the application, this Response includes a listing of all pending claims as they currently exist.

Reconsideration is respectfully requested of the rejection (made in the February 18, 2005 Office Action) of claims 31-40 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,737,054 ("Chao '054") in view of U.S. Patent 5,568,207 ("Chao '207").

While the Examiner asserts in paragraph 2 of the February 18, 2005 Office Action that Chao '054 discloses certain portions of the claimed invention, he further states that Chao '054 does not disclose the feature related to the two sides of an auxiliary frame each having certain extension/flange elements.

In an attempt to find support for this feature, the Examiner cites Chao '207 and asserts, again in paragraph 2 of the February 18, 2005 Office Action, that it would have been obvious to combine the two references to arrive at the claimed invention.

It is respectfully submitted that applicant does not necessarily concur with the Examiner in the Examiner's analysis of the claims of the present application and the alleged obviousness of the combination proposed.

Moreover, it is respectfully submitted that even were one to combine the disclosures of the specifications of each of the Chao '054 and Chao '207 references as suggested by the Examiner, the proposed combination would still not disclose the invention as presently claimed.

More particularly, independent claim 31 explicitly recites "each magnetic material of the primary frame engages, in a plane substantially parallel to a plane of a lens of the primary frame, with the corresponding magnetic materials of the auxiliary frame such that the auxiliary frame is secured to and supported by the primary frame" (emphasis added).

Likewise, independent claim 36 explicitly recites "each extension being capable of extending across a corresponding stud of a primary frame, and capable of engaging a magnetic material of the primary frame, in a plane substantially parallel to a plane of a lens of the primary frame, with the corresponding magnetic materials of the auxiliary frame such that the auxiliary frame is capable of being secured to and supported by the primary frame" (emphasis added).

This claimed configuration is shown clearly in Fig. 3 of the application, for example. Since

paragraph 2 of the February 18, 2005 Office Action does not address this feature of the claimed invention, it appears that the Examiner has overlooked this distinction in making the rejection.

Therefore, it is respectfully submitted that the rejection (made in the February 18, 2005 Office Action) of claims 31-40 under 35 U.S.C. 103(a) as being unpatentable over Chao '054 in view of Chao '207 has been overcome.

Reconsideration is respectfully requested of the rejection (made in the February 18, 2005 Office Action) of claims 31-40 under 35 U.S.C. 103(a) as being unpatentable over Chao '207 in view of Chao '054.

While the Examiner asserts in paragraph 3 of the February 18, 2005 Office Action that Chao '207 discloses certain portions of the claimed invention, he further states that Chao '207 does not disclose the feature related to the bridge of the auxiliary frame having an arm extending over the bridge of the primary frame (while the Examiner is making this rejection against claims 31-40, it is respectfully noted that only claims 34, 35, 39 and 40 recite this particular feature).

In an attempt to find support for this feature of Chao '207, the Examiner cites Chao '054 and asserts, again in paragraph 3 of the February 18, 2005 Office Action, that it would have been obvious to combine the two references to arrive at the claimed invention.

It is respectfully submitted that applicant does not necessarily concur with the Examiner in the Examiner's analysis of the claims of the present application and the alleged obviousness of the combination proposed.

Moreover, it is respectfully submitted (as discussed above) that even were one to combine the disclosures of the specifications of each of the Chao '207 and Chao '054 references as suggested by the Examiner, the proposed combination would still not disclose the invention as presently claimed.

More particularly, independent claim 31 explicitly recites "each magnetic material of the primary frame engages, in a plane substantially parallel to a plane of a lens of the primary frame, with the corresponding magnetic materials of the auxiliary frame such that the auxiliary frame is secured to and supported by the primary frame" (emphasis added).

Likewise, independent claim 36 explicitly recites "each extension being capable of extending across a corresponding stud of a primary frame, and capable of engaging a magnetic material of the primary frame, in a plane substantially parallel to a plane of a lens of the primary frame, with the corresponding magnetic materials of the auxiliary frame such that the auxiliary frame is capable of being secured to and supported by the primary frame" (emphasis added).


This claimed configuration is shown clearly in Fig. 3 of the application, for example. Since paragraph 3 of the February 18, 2005 Office Action does not address this feature of the claimed invention, it appears that the Examiner has overlooked this distinction in making the rejection.

Therefore, it is respectfully submitted that the rejection (made in the February 18, 2005 Office Action) of claims 31-40 under 35 U.S.C. 103(a) as being unpatentable over Chao '207 in view of Chao '054 has been overcome.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,
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Dated: August 18, 2005

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